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Counsel for the Former Employee Defendants

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

MARC S. KIRSCHNER, AS LITIGATION TRUSTEE
OF THE LITIGATION SUB-TRUST,

Plaintiff,

v.

JAMES D. DONDERO; MARK A. OKADA; SCOTT
ELLINGTON; ISAAC LEVENTON; GRANT JAMES
SCOTT III; FRANK WATERHOUSE; STRAND
ADVISORS, INC.; NEXPOINT ADVISORS, L.P.;
HIGHLAND CAPITAL MANAGEMENT FUND
ADVISORS, L.P.; DUGABOY INVESTMENT TRUST
AND NANCY DONDERO, AS TRUSTEE OF
DUGABOY INVESTMENT TRUST; GET GOOD
TRUST AND GRANT JAMES SCOTT III, AS
TRUSTEE OF GET GOOD TRUST; HUNTER
MOUNTAIN INVESTMENT TRUST; MARK &

Chapter 11

Case No. 19-34054-sgj11

Adv. Pro. No. 21-03076-sgj

PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #1 AND LAWRENCE TONOMURA AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #1; MARK & PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #2 AND LAWRENCE TONOMURA IN HIS CAPACITY AS TRUSTEE OF MARK & PAMELA OKADA FAMILY TRUST – EXEMPT TRUST #2; CLO HOLDCO, LTD.; CHARITABLE DAF HOLDCO, LTD.; CHARITABLE DAF FUND, LP.; HIGHLAND DALLAS FOUNDATION; RAND PE FUND I, LP, SERIES 1; MASSAND CAPITAL, LLC; MASSAND CAPITAL, INC.; SAS ASSET RECOVERY, LTD.; AND CPCM, LLC,

Defendants.

**SUPPLEMENTAL CERTIFICATE OF CONFERENCE TO MOTION TO STAY THE
ADVERSARY PROCEEDING PENDING RESOLUTION OF THE MOTION TO
WITHDRAW THE REFERENCE**

On January 18, 2022, the Former Employee Defendants filed the *Motion to Stay the Adversary Proceeding Pending Resolution of the Motion to Withdraw the Reference* (the “***Motion to Stay***”) [Dkt. No. 30].¹ As stated in the Certificate of Conference attached to the Motion to Stay (the “***Certificate of Conference***”), the Former Employee Defendants indicated to the Court that the plaintiff required additional time to consider the relief sought therein. Further, the Former Employee Defendants indicated that the Certificate of Conference would subsequently be updated regarding whether the plaintiff ultimately opposed or supported the relief sought in the Motion to Stay.

¹ Capitalized terms used, but not otherwise defined herein, shall have the meanings ascribed to them in the Motion to Stay.

On January 20, 2022, Calli Ray of Quinn Emanuel Urquhart & Sullivan, LLP informed the undersigned that the plaintiff opposes the relief sought in the Motion to Stay.

/s/ Debra A. Dandeneau
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Dated: January 24, 2022

By: /s/ Michelle Hartmann
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Counsel for the Former Employee Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on January 24, 2022, a true and correct copy of this document was served via the Court's CM/ECF system on counsel for the Plaintiff.

/s/ Michelle Hartmann